

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM COOPER,

Defendant.

No. 04-CR-30084-DRH

ORDER

HERNDON, District Judge:

Now before the Court is Cooper's January 17, 2007 motion to continue trial setting (Doc. 39). The Government does not oppose the motion. The Court being fully advised in the premises finds that Cooper needs additional time to conduct plea negotiations as Cooper is a witness to a homicide in the City of St. Louis, Missouri and that case is still pending. The murder case is scheduled for trial in July 2007. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweigh the best interests of the public and the Defendant in a speedy trial. Further, forcing the parties to trial on a case that appears to have great potential to resolve amicably would be a great miscarriage of justice.

Therefore, the Court **GRANTS** Cooper's motion to continue trial setting (Doc. 39). The Court **CONTINUES** the jury trial scheduled for January 29, 2007 to **Monday, September 10, 2007 at 9:00 a.m.** The time from the date the original motion was filed, January 17, 2007, until the date to which the trial is rescheduled, September 10, 2007, is excludable time for the purposes of speedy trial. The parties shall notify the Court if a change of plea hearing is necessary.

IT IS SO ORDERED.

Signed this 18th day of January, 2007.

/s/ David RHerndon
United States District Judge